

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

CARLA HUYLER,

Plaintiff,

v.

Case No.: 2:19-cv-330-FtM-38NPM

WELLS FARGO BANK, N.A.,

Defendant.

/

OPINION AND ORDER¹

Before the Court is United States Magistrate Judge Nicholas P. Mizell's Report and Recommendation. ([Doc. 64](#)). Judge Mizell recommends dismissing this case because Plaintiff Carla Huyler has refused to comply with the Courts orders despite numerous accommodations and warnings. Neither party objects to the Report and Recommendation, and the time to do so has expired.

After conducting a careful and complete review of the findings and recommendations, a district judge may accept, reject, or modify the magistrate judge's report and recommendation. [28 U.S.C. § 636\(b\)\(1\)](#); *Williams v. Wainwright*, 681 F.2d 732 (11th Cir. 1982). In the absence of specific objections, there is no requirement that a district judge review any factual finding *de novo*, and the court may accept, reject or modify the findings in whole or in part. [28 U.S.C. § 636\(b\)\(1\)](#); *Garvey v. Vaughn*, 993 F.2d 776, 779 n.9 (11th Cir. 1993). The district judge reviews legal conclusions *de novo*,

¹ Disclaimer: Documents hyperlinked to CM/ECF are subject to PACER fees. By using hyperlinks, the Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide, nor does it have any agreements with them. The Court is also not responsible for a hyperlink's availability and functionality, and a failed hyperlink does not affect this Order.

even in the absence of an objection. *Cooper-Houston v. Southern Ry. Co.*, 37 F.3d 603, 604 (11th Cir. 1994).

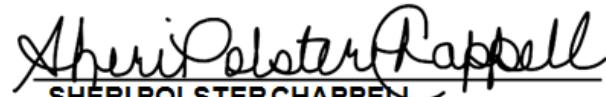
After examining the file independently, and upon considering Judge Mizell's findings and recommendations, the Court accepts and adopts the Report and Recommendation.

Accordingly, it is now

ORDERED:

- (1) The Report and Recommendation ([Doc. 64](#)) is **ACCEPTED** and **ADOPTED**, and the findings incorporated herein.
- (2) The Complaint ([Doc. 3](#)) is **DISMISSED**.
- (3) The Clerk is **DIRECTED** to enter judgment, moot all pending motions, and close the file.

DONE and **ORDERED** in Fort Myers, Florida this 28th day of April 2020.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record